

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATIONS
MECHANICAL BOARD**

1511 Pontiac Avenue

Building 70 – 2nd Floor Conference Room

Cranston, RI 02920

TUESDAY, APRIL 2, 2008

In attendance: Stanley Davies, Chairperson

John Webster

Bobby Joe Harris

Ronald Cronin

Dennis Brennan

Raymond Freitas

Michael Januario

Quinlan Regan

Not in Attendance: Michael Carreiro, Timothy Bryne, Jack King, Jr.

Also in Attendance: Benjamin Copple, Esquire, Charles Wright, Investigator, Ted Whittaker, Investigator, Valentino Lombardi, Esquire

There was a Quorum today.

Chairperson, Stanley Davies, opened the Board meeting at 9:20 AM. The Board went right into the hearings.

There are (3) one hearings scheduled for today.

Steve's Heating #3404 was postponed to our May Board meeting. They called Ron D'Ambruoso to postpone the April meeting.

First hearing to be heard today is:

**Raymond H, Plante/Westport Plumbing & Heating Contractors Corp.
#3133**

Ted Whittaker, Investigator, Charles Wright, Investigator, and Raymond H. Plante of Westport Plumbing & Heating Contractors Corporation were sworn in by the Board Stenographer.

Charles Wright explained to the Board that due to a discrepancy, Mr. Plante did sign the violation and appealed for a hearing, but Mr. Plante never received a hearing notice, and a new hearing notice was sent to Mr. Plante and that is why Mr. Plante is here today.

1. Raymond H. Plante/Westport Plumbing & Heating Contractors Corp. #3133

Ted Whittaker read the first violation, dated April 24, 2007, Violation No. 3133: On March 29, 2007, Clifford Whiting, Chief Mechanical Inspector for the City of Providence, visited the job site at 235 Promenade Street, Providence, RI, and found 3 men from Westport Plumbing and Heating, 38 Main Road, Westport, MA 02790, installing a gas line. One of the men, Mr. Ronald Plante, had a journey person plumber license, and the other 2 men (Paul Wright and James Howard), did not have any pipefitter license. All 3 men were carrying tools into the building when stopped by Mr. Whiting. They were asked for their license or identification. The job super said the 3 men were on the job installing piping earlier in the week, and they had installed a 3" gas main to the roof. This is three (3) violations of "Practices for which a journeyperson or apprentice license is required." Mr. Plante, the owner of Westport Plumbing and Heating filled out a permit on the morning of March 29, 2007, however, it was never approved. Mr. Plante was contacted by Mr. Whiting on March 29, 2007 and was informed that the permit was void because work had started days before the application was filled out and the three men on the job were not properly licensed for installation of the gas pipe. Mr. Plante said his son was a journey person plumber, and the

other two men were related and he was trying to register them as apprentices in RI. Mr. Plante said he would come in March 30, 2007 and re-submit his permit application and pay the process fee for working without a permit, as of April 4, 2007, he still has not done so. This is one (1) violation of RIGL 28-27-20 "State and municipal inspections and installation permits".

Mr. Clifford Whiting, Chief Mechanical Inspector, of the City of Providence testified that on April 4, 2007, Mr. Plante came in and paid the process fee for working without a permit.

Mr. Plante testified that his son, Ron, is registered as a pipefitter apprentice in Rhode Island, he is also a licensed plumber in Massachusetts, and he is also a licensed plumber in Rhode Island. However, Mr. Plante's son was not licensed to install 3" gas main to the roof, because he is a registered pipefitter apprentice, who cannot install this work without a proper license. Mr. Plante's son is enrolled in RI as a pipefitter apprentice, but he is not attending any school to get apprentice hours, he is only doing on the job training.

Mr. Plante was aware that two of the men did not have a pipefitter license, and his son, Ron, was doing gas piping without the proper license. Mr. Plante asked to have lenience on the fine.

Ron Cronin made a motion to have violation No. 3133 upheld and that a finding of fact did occur. Dennis Brennan seconded the motion. All

Board members were in favor. Ayes have it.

-3-

John Webster made a motion that the fine of \$2,000 pertaining to RIGL 28-27-24 at 4 violations at \$500 each be upheld. Bobby Joe Harris seconded the motion. Mr. Davies seconded the motion. All Board members were in favor.

Mr. Davies, Chairman, advised Mr. Plante that he would receive a letter from the Director of Labor and Training of the findings and the final decision that has been made, and that he has a right to appeal.

Second hearing on the agenda to be heard:

2. Robert J. Fletcher #3151 -

Charles Wright explained to the Board that due to a discrepancy, the same thing happened to Mr. Fletcher as it did with Mr. Plante. Mr. Fletcher never received a hearing notice, and a new hearing notice was sent to Mr. Fletcher and that is why Lori Plante is here today representing Robert Fletcher.

Ted Whittaker read the first violation, dated February 28, 2008 (re-typed with the current date), Violation No. 3151: On April 24, 2007, RIDLT Investigator, Charles W. Wright, witnessed two (2) employee's of Fletcher's Installation Service, (Mr. Jason Footer, 12 Littletree Lane, Bellingham, MA) and (Mr. Jason R. Lagasse, 124 Orchard Street, 3rd Floor, Woonsocket, RI 02895), installing duct work. Mr. Foote had a reciprocal apprentice card from Massachusetts, but he was on the project without proper supervision. These two employees are not properly licensed in RI to perform this work. This is two (2) violations of "Practices for which a journeyperson or apprentice license is required."

There was no mechanical permit issued from the Town of Bristol. This is one (1) violation of RIGL 28-27-20 "State and municipal inspections and installation permits".

Lori Fletcher stated that at the time, she (owner) did have unlicensed people installing duct work.

Mr. Wright stated that Mr. Foote has a reciprocal apprentice card from Massachusetts, but he was on the project without proper supervision.

Lori Fletcher reported to the Board that Mr. Lagasse is no longer with the company and that Mr. Foote is now in the apprentice program.

Lori Fletcher reported to the Board that she was unaware that a

permit had to be pulled, as she thought the Contractor, Bruno Company, had pulled to permit to have to work done.

-4-

Ron Cronin made a motion that we uphold violation No. 3151, for unlicensed people and that a finding of fact did occur. Michael Januario seconded the motion. All Board members were in favor. Ayes have it.

Ron Cronin made a motion to uphold violation No. 3151 that no permit was issued with the Town of Bristol. John Webster seconded the motion. All Board members were in favor.

John Webster made a motion to uphold the fine of \$2,850 (3 violations at \$950 each), RIGL 28-27-24. Ron Cronin seconded the motion. All Board members were in favor.

Mr. Davies, Chairman, advised Lori Fletcher that she will receive a letter from the Director of the final decision of the findings of fact, and that she has a right to an appeal.

The Hearings were closed.

The minutes of the March 5, 2008 Board meeting were reviewed.

Bobby Joe Harris made a motion to accept the minutes. John Webster seconded the motion. All Board members were in favor.

New Business:

Charles Wright read to the Board members Title 5, Article 5-65-2 regarding Masters of all trades to carry liability insurance, the limited liability of \$500,000. If the master's do not carry insurance, they will lose their license. This also affects retired people.

Quinlan Regan made a motion to adjourn at 10:10 am. Raymond Freitas seconded the motion. All Board members were in favor.

There was no further business before the Board.

Review of examinations will be performed after the Board meeting.

The next meeting of the Mechanical Board is May 7, 2008 at 10:00 am in Building #70, 2nd floor conference room, 1511 Pontiac Avenue, Cranston, RI 02920.

Minutes respectively submitted by Elaine J. Heiss, April 2, 2008.